



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

August 8, 2007

Mr. Brad Fedorchak
EH&S Responsible Care Leader
Environment, Health and Safety
The Dow Chemical Company
1790 Building Washington Street
Midland, Michigan 48674

Dear Mr. Fedorchak:

SUBJECT: Approval of Minor Modification Request; Amendment 4; Acceptance of Wastes Between the Hours of 3:00 p.m. and 5:00 p.m.; Salzburg Road Landfill Hazardous Waste Facility Operating License (License); The Dow Chemical Company (Dow), Midland; MID 980 617 435

The Michigan Department of Environmental Quality (MDEQ), Waste and Hazardous Materials Division, has reviewed the operating license minor modification request submitted by Dow on August 2, 2007, to temporarily modify Condition III.J.2. of the License for the Salzburg Road Landfill issued on January 12, 1987. Dow has requested that the Site Review Board restriction on receiving wastes between the hours of 3:00 p.m. and 5:00 p.m. be waived for the duration of the interim response activities at Reaches D, J/K, and O in the Tittabawassee River and Floodplain to allow the acceptance of soil and sediment wastes generated from this corrective action work at the landfill. The request was submitted in accordance with R 299.9519(9)(a) of the administrative rules promulgated pursuant to Part 111, Hazardous Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 111 Rules).

On July 27, 2007, the MDEQ received correspondence via e-mail from Mr. Jim Augustyn of the U.S. Environmental Protection Agency, Region 5 (U.S. EPA), supporting the need for this modification in order to complete the time-critical removal actions for Reaches J/K and O pursuant to the deadlines in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) orders issued on July 12, 2007.

Given that the wastes to be removed during the interim response activities for Reaches D, J/K, and O have not been characterized as hazardous wastes to date and the CERCLA removals are consistent with the MDEQ's previous direction to Dow to complete the interim response activities in a timely manner, enclosed is Amendment 4 that temporarily modifies the Salzburg Road Landfill License pursuant to your request dated August 2, 2007. This amendment shall be maintained as part of the License.

In accordance with R 299.9519(6)(b) of the Part 111 Rules, Dow is required to send notice of this minor modification to all persons on the facility mailing list and to the appropriate units of state and local government. Such notice must be provided within 90 calendar days of this approval. A copy of the facility mailing list printed on mailing labels is enclosed for

your convenience. Please notify the WHMD of any returned notifications to facilitate updating the facility mailing list.

Should you have questions regarding this approval, please contact Ms. Cheryl Howe, Hazardous Waste Section, WHMD, at 517-373-9881 or howec@michigan.gov, or you may contact me.

Sincerely,



George W. Bruchmann, Chief
Waste and Hazardous Materials Division
517-373-9523

Enclosures

cc/enc: Mr. Ben Baker, Dow
Mr. Todd Konechne, Dow
Mr. Steve Lucas, Dow
Mr. Jim Augustyn, U.S. EPA
Mr. Greg Rudloff, U.S. EPA
Ms. Kathleen Cavanaugh, Michigan Department of Attorney General
Mr. Jim Sygo, Deputy Director, MDEQ
Ms. De Montgomery, MDEQ
Mr. Steve Buda, MDEQ
Ms. Virginia Himich, MDEQ
Mr. Terry Walkington/Ms. Trisha Peters, MDEQ
Ms. Cheryl Howe, MDEQ
Mr. Allan Taylor, MDEQ
Operating License File

OPERATING LICENSE AMENDMENT 4

The Dow Chemical Company, Michigan Operations
Salzburg Road Landfill
MID 980 617 435


The hazardous waste facility operating license issued on January 12, 1987, to Dow Chemical U.S.A. (now known as The Dow Chemical Company, Michigan Operations) for the Salzburg Road Landfill is hereby amended. The Salzburg Road Landfill is located at 2314 West Salzburg Road, Midland, Michigan.

Condition III.J.2. - Site Review Board Restrictions

Condition III.J.2. of the license is amended as follows:

The licensee shall not accept waste at the facility between the hours of 3:00 p.m. and 5:00 p.m. or during times when hazardous driving conditions exist. Hazardous driving conditions will be considered to exist when a hazard warning for Midland County has been issued by the Midland County Sheriff's Office. Effective on August 8, 2007, the restriction on accepting waste between the hours of 3:00 p.m. and 5:00 p.m. at the facility is waived for soil and sediment wastes removed from Reaches D, J/K, and O in the Tittabawassee River and Floodplain for the duration of the interim response activities, as determined by the Chief of the Waste and Hazardous Materials Division.

Issued this 8th day of August, 2007, for the Michigan Department of Environmental Quality.



George W. Bruchmann, Chief
Waste and Hazardous Materials Division